

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

TRANSLATED MEMORY PROTECTION APPARATUS
FOR AN ADVANCED MICROPROCESSOR

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby appoint Stephen L. King, Reg. No. 19,180; with offices located at 30 Sweetbay Road, Rancho Palos Verdes, California 90275, telephone (310) 377-5073, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001

of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Edmund J. Kelly

Inventor's Signature *Edmund Kelly* Date 8/19/96

Residence San Jose, California Citizenship Rep. of Ireland
(City, State) (Country)

Post Office Address 3251 Pinot Blanc Way
San Jose, California 95135

Full Name of Second/Joint Inventor Robert F. Cmelik

Inventor's Signature *Robert F. Cmelik* Date 19/Aug/96

Residence Sunnyvale, California Citizenship U.S.A.
(City, State) (Country)

Post Office Address 1024 Chula Vista Terrace
Sunnyvale, California 94086

Full Name of Third/Joint Inventor Malcolm J. Wing

Inventor's Signature *Malcolm Wing* Date 8/19/96

Residence Menlo Park, California Citizenship U.S.A.
(City, State) (Country)

Post Office Address 24 Kent Place, Apt. 5
Menlo Park, California 94025

Applicant or Patentee: TRANSMETA CORPORATION

Attorney's

Serial or Patent No.:

Docket No.

TRANS04

Filed or Issued:

For: TRANSLATED MEMORY PROTECTION APPARATUS FOR AN ADVANCED MICROPROCESSOR

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS

37 CFR 1.9 (f) and 1.27(c) - - SMALL BUSINESS CONCERN

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: TRANSMETA CORPORATION

ADDRESS OF CONCERN: 3940 FREEDOM CIRCLE, SANTA CLARA, CALIFORNIA 95054

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby certify that to the best of my knowledge and belief rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled TRANSLATED MEMORY PROTECTION APPARATUS FOR AN ADVANCED MICROPROCESSOR

by inventor(s) Edmund J. Kelly, Robert F. Cmelik and Malcom John Wing
described in

☒ the specification being filed herewith,

and I have reviewed the document that evidences the conveyance of those rights. That document

☒ is being filed herewith.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and **no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 347 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e).** NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Non-Profit Organization

NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Non-Profit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the

issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Colin Hunter
TITLE OF PERSON OTHER THAN OWNER: CFO
ADDRESS OF PERSON SIGNING: 3940 FREEDOM WAY, SANTA CLARA, CALIFORNIA 95054
SIGNATURE: [Signature] DATE: 8/19/96

000001 27665960

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Edmund J. Kelly,
Robert F. Cmelik, and
Malcolm J. Wing

2. Name and address of receiving party(ies):

Name: Transmeta, Corporation

Internal Address: _____

Street Address: 3940 Freedom CircleCity Santa Clara State CA ZIP 95054Additional name(s) & address(es) attached? ☐ Yes ☒ NoAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: August 19, 1996

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: August 19, 1996

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Stephen L. King

Internal Address: _____

Street Address: 30 Sweetbay RoadCity: Rancho Palos Verdes State: CA ZIP: 90275

6. Total number of applications and patents involved:

17. Total fee (37 CFR 3.41).....\$ 40.00☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*Stephen L. King

Name of Person Signing

Signature

August 22, 1996

Date

Total number of pages comprising cover sheet, attachments, and document: 2

Mail document to be recorded with required cover sheet information to:
 Commissioner of Patents & Trademarks, Box Assignment
 Washington, D.C. 20231

1-916 U.S. PTO
09/699947

10/30/00

Attorney's Docket

No. Trans04

ASSIGNMENT

PATENT

(For Execution Prior To Filing Patent Application)

In consideration of good and valuable consid ration, the receipt of which is hereby acknowledged, we,
the undersigned, Edmund J. Kelly, Robert F. Cmelik, and Malcolm J. Wing,

hereby sell, assign, and transfer to Transmeta, Corporation,
a corporation of California, having a principal place of business at 3940 Freedom Circle, Santa Clara, California
95054, ("Assignee"), and its successors, assigns, and legal representatives, the entire right, title, and interest for the
United States and all foreign countries, in and to any and all improvements that are disclosed in the application for
the United States patent that has been executed by the undersigned prior hereto or concurrently herewith on the
dates indicated below and is entitled _____

TRANSLATED MEMORY PROTECTION APPARATUS FOR AN ADVANCED MICROPROCESSOR

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other patent
applications that have been or shall be filed in the United States and all foreign countries on any of said
improvements; and in and to all original and reissued patents that have been or shall be issued in the United States
and all foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said
United States application;

agree that said Assignee may apply for and receive a patent or patents for said improvements in its own
name; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns,
and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will
execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said
improvements; execute all rightful oaths, assignments, powers of attorney, and other papers; communicate to said
Assignee, its successors, assigns, and representatives all facts known to the undersigned relating to said
improvements and the history thereof; and generally do everything possible that said Assignee, its successors,
assigns, or representatives shall consider desirable for aiding in securing and maintaining proper patent protection
for said improvements and for vesting title to said improvements, and all applications for patents and all patents on
said improvements, in said Assignee, its successors, assigns, and legal representatives; and

covenant with said Assignee, its successors, assigns, and legal representatives that no assignment, grant,
mortgage, license, or other agreement affecting the rights and property herein conveyed has been made to others
by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Each Inventor: Please Sign and Date Below:

| | |
|------------------------------------|---------------------------------------------------|
| <u>8/19/</u> 19 <u>96</u> Date | <u>Edmund Kelly</u> Name: Edmund J. Kelly |
| <u>19/Aug</u> 19 <u>96</u> Date | <u>Robert F. Cmelik</u> Name: Robert F. Cmelik |
| <u>8/19/</u> 19 <u>96</u> Date | <u>Malcolm Wing</u> Name: Malcolm J. Wing |

**Each Inventor: Please also
list the date that you signed
the accompanying
DECLARATION AND POWER
OF ATTORNEY:**

| |
|------------------------------------|
| <u>8/19/</u> 19 <u>96</u> Date |
| <u>19/Aug</u> 19 <u>96</u> Date |
| <u>8/19</u> 19 <u>96</u> Date |

Assignment Document Return Address:

STEPHEN L. KING
30 SWEETBAY ROAD
RANCHO PALOS VERDES, CA 90275
(310) 377-5073

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Transmeta Corporation

Application No./Patent No.: 08/702,771 Filed/Issue Date: 8/22/96

Entitled: Translated Memory Protection Apparatus etc.

Transmeta Corporation, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 8177, Frame 0368 or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Oct 10, 2000
Date

[Signature]
Signature

Stephen L. King
Typed or printed name

Attorney
Title